

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF NEW YORK**

**JUDGMENT IN A CIVIL CASE**

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**GERALD A. MONTAQUE**

**vs.**

**CASE NUMBER: 5:07-cv-749  
(VEB)**

**MICHAEL J. ASTRUE,  
Commissioner of Social Security**

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**Decision by Court.** This action came to trial or hearing before the Court. The issues have been tried or heard and a decision has been rendered.

**IT IS ORDERED AND ADJUDGED** that the Commissioner's Motion for Judgment on the Pleadings is GRANTED, Plaintiff's Motion for Judgment on the Pleadings is DENIED, and this action is closed.

All of the above pursuant to the Order of the Honorable Magistrate Judge Victor E. Bianchini, dated the 23<sup>rd</sup> day of March, 2010.

DATED: March 23, 2010



Laurence A. Baum  
Clerk of Court

s/ Melissa Ennis

Melissa Ennis  
Deputy Clerk